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7
8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 APPROXIMATELY \$9,960.00 IN U.S.
14 CURRENCY,

15 Defendant.

2:05-MC-00035 DFL

**STIPULATION AND ORDER
EXTENDING THE UNITED STATES'
TIME TO FILE A COMPLAINT FOR
FORFEITURE AND/OR TO OBTAIN AN
INDICTMENT ALLEGING FORFEITURE**

16 It is hereby stipulated by and between the United States of
17 America and claimants Ramon Ramirez and Osbaldo Ramirez
18 ("Claimants"), by and through their respective attorney, as
19 follows:

20 1. On or about December 20, 2004, Claimants filed claims, in
21 the administrative forfeiture proceedings, with the Drug
22 Enforcement Administration with respect to the approximately
23 \$9,960.00 in U.S. Currency (the "currency"), which was seized on or
24 about September 22, 2004.

25 2. The Drug Enforcement Administration has sent the written
26 notice of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to
27 all known interested parties. The time has expired for any person
28

1 to file a claim to the currency under 18 U.S.C. § 983(a)(2)(A)-(E),
2 and no person other than the Claimants have filed a claim to the
3 currency as required by law in the administrative forfeiture
4 proceeding.

5 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is
6 required to file a complaint for forfeiture against the currency
7 and/or to obtain an indictment alleging that the currency is
8 subject to forfeiture within 90 days after a claim has been filed
9 in the administrative forfeiture proceedings, unless the court
10 extends the deadline for good cause shown or by agreement of the
11 parties.

12 4. By Stipulation and Order filed March 22, 2005, the parties
13 stipulated to extend to July 11, 2005, the time in which the United
14 States is required to file a civil complaint for forfeiture against
15 the currency and/or to obtain an indictment alleging that the
16 currency is subject to forfeiture.

17 5. By Stipulation and Order filed July 20, 2005, the parties
18 stipulated to extend to October 11, 2005, the time in which the
19 United States is required to file a civil complaint for forfeiture
20 against the currency and/or to obtain an indictment alleging that
21 the currency is subject to forfeiture.

22 6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish
23 by agreement to further extend to December 16, 2005, the time in
24 which the United States is required to file a civil complaint for
25 forfeiture against the currency and/or to obtain an indictment
26 alleging that the currency is subject to forfeiture.

7. Accordingly, the parties agree that the deadline by which the United States shall be required to file a complaint for forfeiture against the currency and/or to obtain an indictment alleging that the currency is subject to forfeiture shall be extended to December 16, 2005.

DATED: 10/7/05

McGREGOR W. SCOTT
United States Attorney

/s/ Phillip A. Talebrt
PHILLIP A. TALBERT
Assistant U.S. Attorney

DATE: 10-6-05

/s/ Jan Karowsky
JAN DAVID KAROWSKY

Attorney for Claimant Ramon Ramirez

DATE: 10/6/05

/s/ MD Long
MICHAEL LONG

Attorney for Claimant Osbaldo Ramirez

(Original signature retained by attorney)

IT IS SO ORDERED.

DATE: October 17, 2005

/s/ David F. Levi
DAVID F. LEVI
United States District Judge